

REMARKS

The Claims

Original Claims 1-17 have been canceled. New Claims 18-28 have been added to better claim the invention. Claims 18-28 are, therefore, presently pending in the above identified Application. A copy of the claims list for the above referenced Application is provided hereafter.

The § 112 Rejection

The § 112 rejection no longer applies as Original Claims 1-17 have been canceled.

Rejections by the Examiner

The Examiner rejected Claims 1-2, 4-10 and 12-17 under U.S.C. 102(b) as being anticipated by U.S. Patent 5,403,564, issued to Katschnig, et al. April 4, 1995 (Katschnig).

The Examiner rejected Claims 3 and 11 under 35 U.S.C. 103(a) as being unpatentable over Katschnig et al. As applied to Claims 1-2, 4-10 and 12-17 further in view of U.S. Patent 6,136,362 issued to Ashton October 24, 2000.

Analysis of cited art

U.S. Patent 5,403,564 (Katschnig) discloses apparatus for heating thermally decontaminating pumpable or pourable material. Apparatus of Katschnig includes a microwave unit for heating and two pumps for maintaining pressure in a holding line 13 which is downstream from a treatment chamber 3 in a microwave unit 1. Katschnig also teaches a control unit 24 for receiving a pressure signal which measures pressure in the holding line and is operatively connected to both pumps. Clearly, Katschnig teaches and claims need for two pumps, and a control unit therefor, in the apparatus.

It should be noted that two temperature sensors are employed in the apparatus, a first sensor 27 which is upstream of holding line 13 and a second temperature sensor 28, which is downstream from holding line 13 is connected to central control unit 24

which, in turn, sends corrections for additional or lesser energy requirements of microwave device 1, a signal which is detected after heating of fluid effluent from holding line 13.

It is understood from Figure 2 and teachings provided in column 3 lines 64-68 and column 4 lines 1-12 that reflux may be an issue. Such is the case where energy is supplied in one vessel while holding is provided in another vessel.

U.S. Patent 6,136,362 issued to Ashton October 24, 2000 discloses a high temperature time pasturization system and method of cleaning. Ashton, like Katshnig, teaches a heating system separated from a holding line or tube. Ashton does teach heating by a material which changes state, i.e. water changing to steam. However, it should be understood that steam may exist across a spectrum of temperatures and therefore may not provide appropriate control for achieving a target SAL at a given effluent through-put.

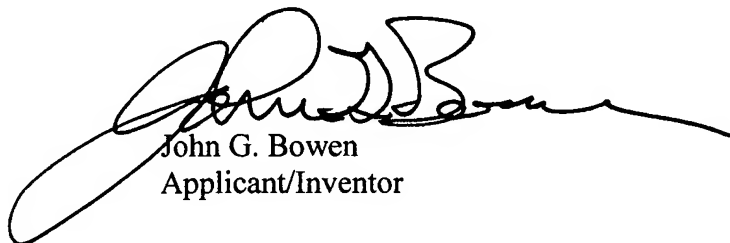
The U.S.C. 102(b) and U.S.C. 103 Rejections No Longer Apply

_____ Claims 1-17 have been canceled.

CONCLUSION

Original Claims 1-17 have been canceled. New Claims 18-28 have been added to better claim the invention. A complete list of "clean" claims is provided hereafter.

Respectfully submitted,


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